

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

203B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
March 31, 2011

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish]
Case No. : CV09-12550 [KRUSE]
Subject Property: 55200 Hatton Pl, Whitewater; APN: 517-101-011
District: Five

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish on the real property located at 55200 Hatton Pl, Whitewater, Riverside County, California, APN: 517-101-011 be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
2. Douglas J. Kruse and Yvonne S. Kruse, the owners of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

(Continued)

L. Alexandra Fong
L. ALEXANDRA FONG, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande
Tina Grande

County Executive Office Signature

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

Departmental Concurrence

☒ Policy

☐ Consent

☒ Policy

☐ Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 5

Agenda Number:

9.3

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District Five
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3. If the owners or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Code Enforcement Department, Sheriff's Department, and/or a contractor, upon consent of the owners or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the accumulation of rubbish by removing and disposing of the same from the real property.

4. The reasonable cost of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Riverside County Ordinance No. 725.

5. County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. An initial inspection was made of the subject real property by the Code Enforcement Officers on December 2, 2009. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: wood pallets, empty cement bags, cut up metal, plastic bags and other household trash.

2. Subsequent inspections of the above-described real property on January 8, 2010, April 22, 2010, May 21, 2010, August 10, 2010, August 18, 2010, October 26, 2010, December 2, 2010, December 29, 2010 and March 29, 2011, revealed the property continues to be in violation of Riverside County Ordinance No. 541.

3. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of accumulated rubbish.